IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO 803 OF 2007

C.W.C.)..Petitioners
Versus
Sarpanch Gram Panchayat Kalamboli & Ors.)..Respondents

Ms.S.I.Shah i/by M/s.S.I.Shah & Co. for the petitioners.

Mr.G.S.Hegde for respondent nos.1 & 2.

Mrs.M.P.Thakur AGP for respondent no.3.

Coram : S.B.Mhase & R.S.Mohite,JJ

Date : 27.06.2007.

PC

1. The petitioners have challenged the notices issued by the respondent no.1-Gram Panchayat claiming the property tax. It is submitted by the petitioners that the said plot has been given to them by the CIDCO and therefore, the Gram panchayat cannot recover the tax. The CIDCO is recovering the service charges and not the property tax. CIDCO recovered service charges for the purpose of services rendered by them. However, since this area is within the Gram panchayat, they are entitled to recover the property tax under the Gram Panchayat Act. Therefore, we refrain to entertain the petition. The petition is hereby rejected.

(R.S.Mohite,J) **(S.B.Mhase,J)**